

**Fill in this information to identify your case:**

United States Bankruptcy Court for the:

EASTERN DISTRICT OF NEW YORK, CENTRAL ISLIP DIVISION

Case number (if known)

Chapter

11☐ Check if this an amended filing

Official Form 201

**Voluntary Petition for Non-Individuals Filing for Bankruptcy**

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name 97 2ND LLC

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 46-5330138

4. Debtor's address

Principal place of business

Mailing address, if different from principal place of business

9322 3rd Ave  
Ste 502  
Brooklyn, NY 11209-6802

Number, Street, City, State &amp; ZIP Code

P.O. Box, Number, Street, City, State &amp; ZIP Code

Kings

County

Location of principal assets, if different from principal place of business

Number, Street, City, State &amp; ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))☐ Partnership (excluding LLP)☐ Other. Specify:

Debtor **97 2ND LLC**  
Name

Case number (if known)

**7. Describe debtor's business**

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☒ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☐ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.  
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

**8. Under which chapter of the Bankruptcy Code is the debtor filing?**

Check one:

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. Check all that apply:

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**☒ No.☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

**10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?**☐ No☒ Yes.

List all cases. If more than 1, attach a separate list

Debtor	<b>See Attachment</b>	Relationship	_____
District	_____	When	_____
		Case number, if known	_____

Debtor 97 2ND LLC  
Name

Case number (if known) \_\_\_\_\_

**11. Why is the case filed in this district?***Check all that apply:*

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

**12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**☒ No☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.**Why does the property need immediate attention?** *(Check all that apply.)*☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? \_\_\_\_\_

☐ It needs to be physically secured or protected from the weather.☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).☐ Other \_\_\_\_\_**Where is the property?** \_\_\_\_\_

Number, Street, City, State &amp; ZIP Code

**Is the property insured?**☐ No☐ Yes. Insurance agency \_\_\_\_\_

Contact name \_\_\_\_\_

Phone \_\_\_\_\_

**Statistical and administrative information****13. Debtor's estimation of available funds***Check one:*

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

**14. Estimated number of creditors**☒ 1-49☐ 50-99☐ 100-199☐ 200-999☐ 1,000-5,000☐ 5001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000**15. Estimated Assets**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☒ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion**16. Estimated liabilities**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☒ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion

Debtor 97 2ND LLC  
Name

Case number (if known) \_\_\_\_\_

**Fill in this information to identify your case:**

United States Bankruptcy Court for the:

EASTERN DISTRICT OF NEW YORK, CENTRAL ISLIP DIVISIONCase number (if known) \_\_\_\_\_ Chapter 11☐ Check if this an amended filing**FORM 201. VOLUNTARY PETITION****Pending Bankruptcy Cases Attachment**

Debtor	<u>Manhattan 335 Tower, Inc.</u>	Relationship to you	<u>Managed by Tim Ziss</u>
District	<u>Eastern New York</u>	When	<u>11/03/15</u>
Case number, if known			<u>15-74693</u>
Debtor	<u>Goldstone Management Corp.</u>	Relationship to you	<u>Managed by Tim Ziss</u>
District	<u>Eastern New York</u>	When	<u>4/03/14</u>
Case number, if known			<u>14-71450</u>
Debtor	<u>BMT Holdings - Lynbrook, LLC</u>	Relationship to you	<u>Managed by Tim Ziss</u>
District	<u>Eastern New York</u>	When	<u>3/20/12</u>
Case number, if known			<u>12-71686</u>
Debtor	<u>BMT Holdings LLC</u>	Relationship to you	<u>Managed by Tim Ziss</u>
District	<u>Eastern New York</u>	When	<u>3/20/12</u>
Case number, if known			<u>12-71687</u>
Debtor	<u>BMT Holdings – Brick, LLC</u>	Relationship to you	<u>Managed by Tim Ziss</u>
District	<u>Eastern New York</u>	When	<u>3/20/12</u>
Case number, if known			<u>12-71688</u>
Debtor	<u>BMT Holdings – Commack, LLC</u>	Relationship to you	<u>Managed by Tim Ziss</u>
District	<u>Eastern New York</u>	When	<u>3/20/12</u>
Case number, if known			<u>12-71689</u>
Debtor	<u>BMT Holdings – Nesconset, LLC</u>	Relationship to you	<u>Managed by Tim Ziss</u>
District	<u>Eastern New York</u>	When	<u>3/20/12</u>
Case number, if known			<u>12-71690</u>

Debtor 97 2ND LLC  
Name

Case number (if known) \_\_\_\_\_

**Request for Relief, Declaration, and Signatures****WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both 18 U.S.C. §§ 152, 1341, 1519, and 3571****17. Declaration and signature of authorized representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

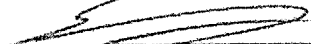
I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 1, 2017  
MM/DD/YYYY

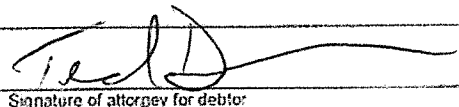
X

  
Signature of authorized representative of debtorTim Ziss

Printed name

Title Restructuring Manager**18. Signature of attorney**

X

  
Signature of attorney for debtorDate August 1, 2017

MM/DD/YYYY

J. Ted Donovan  
Printed nameGoldberg Weprin Finkel Goldstein LLP  
Firm name1501 Broadway 22nd Floor  
New York, NY 10036

Number, Street, City, State &amp; ZIP Code

Contact phone (212) 221-5700

Email address \_\_\_\_\_

Bar number and State \_\_\_\_\_

**Fill in this information to identify the case:**Debtor name 97 2ND LLCUnited States Bankruptcy Court for the: EASTERN DISTRICT OF NEW YORK, CENTRAL ISLIP DIVISION

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing**Official Form 202****Declaration Under Penalty of Perjury for Non-Individual Debtors**

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

**WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**

**Declaration and signature**

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☒ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☒ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☒ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☒ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☒ *Schedule H: Codebtors* (Official Form 206H)
- ☒ *Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- ☐ Amended Schedule \_\_\_\_\_
- ☒ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☐ Other document that requires a declaration \_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 1, 2017

X

Signature of individual signing on behalf of debtorTim Ziss

Printed name

Restructuring Manager

Position or relationship to debtor

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
In re:

Chapter 11

97 2ND LLC,

Case No.

Debtor.  
-----X

**DEBTOR'S DECLARATION  
PURSUANT TO LOCAL BANKRUPTCY RULE 1007-2**

STATE OF NEW YORK     )  
                                      ) ss.:  
COUNTY OF NEW YORK )

TIM ZISS, declares the following pursuant to 28 U.S.C. § 1746:

1. I am the designated restructuring manager of 97 2ND LLC (the "Debtor") pursuant to certain rights granted to Raphael Toledano under a letter agreement dated June 19, 2017 (the "Letter Agreement") relating to the control and management of the Debtor.

2. In furtherance of these rights, the Debtor is seeking Chapter 11 protection and I have been designated as the restructuring manager of the Debtor for this purpose. Accordingly, I submit this Local Rule Declaration in support of the Debtor's filing of a voluntary petition under Chapter 11 of Title 11 of the United States Code (the "Bankruptcy Code").

**BACKGROUND**

3. The Debtor is the rightful owner of the real property located at 97 2<sup>nd</sup> Avenue, New York, NY (the "Property") which is improved by a residential apartment building occupied by approximately nine (9) residential tenants and one (1) commercial tenant.

4. I underscore the word "rightful" because, in recent weeks, the Property has been improperly commandeered by entities controlled by one, Michael Shah, necessitating the instant Chapter 11 filing.

5. More particularly, Mr. Shah's involvement began when his company, DS 97 2<sup>nd</sup> Ave Note Purchaser LLC (the "Note Holder"), initially acquired the underlying mortgage debt originally held by Signature Bank in the total principal sum of \$9,500,000 earlier this year. Mr. Shah's acquisition of the mortgages was effectuated pursuant to a certain Assignment of Mortgage dated April 17, 2017.

6. The current principal balance due under the mortgages is approximately \$9,164,699 as of July 11, 2017.

7. At or about the time of the assignment of the Signature mortgages, the Debtor's membership interest was held by Raphael Toledano (the "Toledano Interest") as the 100% equity holder. The Toledano Interest, however, was the subject to a collateral pledge in favor of one, Benjamin Lefkowitz and LEFKO Funding LLC ("LEFKO"), to secure certain personal loan obligations.

8. Also earlier this year, LEFKO purportedly declared a default against Mr. Toledano and claims to have foreclosed on the Toledano Interest under a highly questionable UCC procedure. In turn, Mr. Toledano, thereafter, informally challenged the propriety of the UCC foreclosure sale conducted by LEFKO, leading to the subsequent execution of the Letter Agreement referenced above, a copy of which is attached hereto as Exhibit "A".

9. The Letter Agreement was designed to settle the then disputes between Mr. Toledano and LEFKO relating to the propriety of the UCC foreclosure and other matters, and provided Mr. Toledano with a window to complete a sale of the subject Property.

10. Pursuant to the Letter Agreement, Mr. Toledano or his designee again became authorized to, *inter alia*, manage and sell the Property for the benefit of the Debtor and



its creditors and equity holders during a period of seventy-five (75) days beginning June 19, 2017, as provided by sections (c)(iv) and (c)(v) the Letter Agreement:

- The parties hereby agree that Raphael Toledano or his designee shall be appointed as the manager of the building of the 2<sup>nd</sup> Avenue Property, which shall include the right to manage and maintain the building and collect all rents from tenants located at the 2<sup>nd</sup> Avenue Property (the “2<sup>nd</sup> Avenue Management Rights”), provided that, Toledano or his designee shall perform all such duties in compliance with all applicable laws. Lefkowitz shall have the right to terminate the 2<sup>nd</sup> Avenue Management Rights following the expiration of the Sale Period (as defined below).
- In connection with the sale of the Pledged Equity or the 2<sup>nd</sup> Avenue Property (the “2<sup>nd</sup> Avenue Sale”), Benjamin Lefkowitz and any of his affiliates agree to the following: (A) fully cooperate with any reasonable requests in connection with the execution of any further documents or instruments or take other reasonable steps necessary to effectuate the 2<sup>nd</sup> Avenue Sale; B) upon written notice from the attorneys stating that the proposed 2<sup>nd</sup> Avenue Sale is scheduled to be consummated within twenty-four (24) hours, Benjamin Lefkowitz shall procure and deliver documents evidencing the release and/or satisfaction of (1) Agreement and Restriction by and among Raphael Toledano, Abraham Lokshin, Naum Lokshin, and A&N Funding Co. LLC and corresponding UCC Filing (Recorded at CRFN: 2017000070355 and 2017000064606); and (2) Contract of Sale, by and between, Michael Taubenblat and 97 2<sup>nd</sup> LLC (Recorded at CRFN 2015000089977); (C) for a period of seventy-five (75) days from the date hereof (the “Sale Period”) of Yaron Kornblum of Rivkin Radler shall exclusively negotiate and prepare the final definitive documents for the 2<sup>nd</sup> Avenue Sale; and (D) the proceeds of the 2<sup>nd</sup> Avenue Sale shall be paid to Rafael Toledano or his designee in accordance with Section (vi) below.

11. Contemporaneously with the Letter Agreement, Michael Shah apparently caused or induced LEFKO to assign the Toledano Interest in the Debtor despite the fact that Mr. Toledano was already given the right to manage and sell the Property.

12. It also appears that Mr. Shah knew or should have known about the Letter Agreement, since Mr. Shah’s attorney, William Weisner of Tarter Krinsky, received an email on June 20, 2017 advising that Yaron Kornblum, Esq. of Rivkin Radler had been designated by Mr. Toledano to negotiate the sale and/or the pay-off of the mortgages pursuant to the Letter Agreement.

13. This e-mail was followed-up by a further email on June 21, 2017 and a formal letter dated June 23, 2017 reconfirming Mr. Toledano's rights and intentions.

14. These communications fell on deaf ears, as Mr. Shah thereafter, purportedly acting on behalf of the Debtor, re-deeded the Property to an entity controlled by him known as DS 97 2nd Ave Property Owner LLC.

15. Mr. Shah signed the deed on behalf of the Debtor and effectively transferred the Property to himself, in a clear effort to avoid the rights granted to Mr. Toledano and the Debtor under the Letter Agreement.

16. Mr. Shah's actions constitute a classic example of tortious interference with contractual and economic relationships.

17. Indeed, whatever rights or interest Mr. Shah acquired from LESHKO, they remain subject to the Debtor's superior rights under the Letter Agreement.

18. However, Mr. Shah compounded his wrongdoing, when he proceeded to refinance his multiple interests in the Debtor with another lender known as ACM CRE Fund I, LP.

19. This bankruptcy case is being filed within the 75-day window in which I, as Mr. Toledano's designee, retains exclusive management and sale rights. Accordingly, I will be leading the reorganization effort to regain fee simple ownership of the Property through the filing of an avoidance action against Mr. Shah and his affiliates and co-conspirators, including ACM CRE FUND I, LP.

20. In the interim, the Debtor will seek buyers for the Property so it can effectuate an immediate sale under a plan of reorganization.

CAPITAL STRUCTURE

21. The Debtor's primary asset consists of its legal or equitable interest in the Property valued at \$15.1 million. The largest creditor in the bankruptcy case is the Note Holder, although the Debtor reserves all rights, objections and remedies to challenge or subordinate the mortgages based on Mr. Shah's misconduct.

22. Besides the mortgage debt (which is now in dispute), the Debtor is also indebted to various unsecured creditors consisting of professionals, service providers and tenants, all of whom are listed in the Chapter 11 filing as general creditors.

23. Pending the anticipated recapture of the Property, the Debtor has no immediate income or expenses, but intends to file a budget once the Property is rightfully returned to the Debtor's estate.

Dated: New York, New York  
August 1, 2017

97 2ND LLC

By: 

Name: Tim Ziss

Title: Restructuring Manager

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
In re:

Chapter 11

97 2ND LLC,

Case No.

Debtor.  
-----X

**LIMITED LIABILITY COMPANY RESOLUTION**

At a special meeting of 97 2<sup>ND</sup> LLC (the "Company") held on July 28, 2017 and  
after a motion duly made and carried, it was:

**RESOLVED**, that Tim Ziss is designated as the Restructuring Manager of the Company pursuant to the Letter Agreement referenced in the bankruptcy filing; and that Tim Ziss, as Restructuring Manager, has due authority to execute and file the bankruptcy petition under Chapter 11 of the United States Bankruptcy Code on behalf of the Company; and it is further


**RESOLVED**, that Tim Ziss is authorized to pursue all actions necessary to regain title possession, and management of the property located at 97 2<sup>nd</sup> Avenue, New York, NY for subsequent resale or other disposition by the Company in bankruptcy; and it is further

**RESOLVED**, that the Company is authorized to retain the law firm of GOLDBERG WEPRIN FINKEL GOLDSTEIN LLP, as bankruptcy counsel for the purpose of filing and prosecuting the Chapter 11 petition on its behalf;

Dated: New York, New York  
August 1, 2017

97 2ND LLC

By:

  
Name: Tim Ziss  
Title: Restructuring Manager

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
In re:

Chapter 11

97 2ND I.L.C.,

Case No.

Debtor.  
-----X

LIST OF EQUITY HOLDERS

DESIGNEE OF RAPHAEL TOLEDANO 100 %

Dated: New York, New York  
August 1, 2017

97 2ND LLC

By:



Name: Tim Ziss

Title: Restructuring Manager

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
In re:

Chapter 11

97 2ND LLC

Case No.

Debtor.  
-----X

**RULE 7.1 CORPORATE OWNERSHIP STATEMENT**

Pursuant to Federal Rule of Civil Procedure 7.1, 97 2ND LLC certifies that it is a private non-governmental party, and has no corporate parent, affiliates and/or subsidiaries which are publicly held.

Dated: New York, New York  
August 1, 2017

97 2ND LLC

By:



Name: Tim Ziss

Title: Restructuring Manager

**Fill in this information to identify the case:**Debtor name **97 2ND LLC**United States Bankruptcy Court for the: **EASTERN DISTRICT OF NEW YORK, CENTRAL ISLIP DIVISION**

Case number (if known): \_\_\_\_\_

☐ Check if this is an  
amended filing**Official Form 204****Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders**

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Raphael Agrzz 5404 New Utrecht Ave Brooklyn, NY 11219-4187						\$500,000.00
Rivkin Radler 926 RXR Plz Uniondale, NY 11556-0926						\$60,000.00
Robinson Brog Leinwand Greene Genovese & 875 3rd Ave New York, NY 10022-6225						\$50,000.00
Hou Spicy, Inc. 97 2nd Ave New York, NY 10003-8350						\$20,157.10
David Reich c/o Brookhill Properties 57 W 57th St New York, NY 10019-2802						\$20,000.00
Belkin Burden Wenig & Goldman, LLP 270 Madison Ave New York, NY 10016-0601						\$11,157.46
Global Pest Control 382A Route 59 Airmont, NY 10952-3439						\$9,747.00

Debtor **97 2ND LLC**  
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Phillip Anderson and Cameron Debit 97 2nd Ave # 4 New York, NY 10003-8350						\$7,500.00
Natalie Alford 97 2nd Ave # 6 New York, NY 10003-8350						\$7,200.00
Madeleine Gaiman 97 2nd Ave # 5 New York, NY 10003-8350						\$6,500.00
Manasi Rajagopal 97 2nd Ave # 3 New York, NY 10003-8350						\$6,000.00
Alex Nugent 97 2nd Ave # 2 New York, NY 10003-8350						\$6,000.00
Alison Tobias 97 2nd Ave # 9 New York, NY 10003-8350						\$5,000.00
Gabrielle Tazza 97 2nd Ave # 7 New York, NY 10003-8350						\$5,000.00
Kim Borin 97 2nd Ave # 10 New York, NY 10003-8350						\$2,182.33
Ben Lebovits 97 2nd Ave # 8 New York, NY 10003-8350						\$1,593.75
NYS Department of Labor New York State Department of Labor, PO Box 15130 Albany, NY 12212-5130		For notice purposes				\$0.00



Debtor **97 2ND LLC**  
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Internal Revenue Service Centralized Insolvency Operations PO Box 7346 Philadelphia, PA 19101-7346		For notice purposes				\$0.00
NYS Dep't of Taxation Bankruptcy/Special Procedure PO Box 5300 Albany, NY 12205-0300		For notice purposes				\$0.00
NYC Dep't of Finance Legal Affairs 345 Adams St Fl 3 Brooklyn, NY 11201-3719		For notice purposes				\$0.00

**Fill in this information to identify the case:**Debtor name 97 2ND LLCUnited States Bankruptcy Court for the: EASTERN DISTRICT OF NEW YORK, CENTRAL ISLIP DIVISION

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing**Official Form 206A/B****Schedule A/B: Assets - Real and Personal Property**

12/15

Disclose all property, real and personal, which the debtor owns or in which the debtor has any other legal, equitable, or future interest. Include all property in which the debtor holds rights and powers exercisable for the debtor's own benefit. Also include assets and properties which have no book value, such as fully depreciated assets or assets that were not capitalized. In Schedule A/B, list any executory contracts or unexpired leases. Also list them on *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G).

Be as complete and accurate as possible. If more space is needed, attach a separate sheet to this form. At the top of any pages added, write the debtor's name and case number (if known). Also identify the form and line number to which the additional information applies. If an additional sheet is attached, include the amounts from the attachment in the total for the pertinent part.

For Part 1 through Part 11, list each asset under the appropriate category or attach separate supporting schedules, such as a fixed asset schedule or depreciation schedule, that gives the details for each asset in a particular category. List each asset only once. In valuing the debtor's interest, do not deduct the value of secured claims. See the instructions to understand the terms used in this form.

**Part 1: Cash and cash equivalents****1. Does the debtor have any cash or cash equivalents?**☐ No. Go to Part 2.☒ Yes Fill in the information below.

All cash or cash equivalents owned or controlled by the debtor

Current value of debtor's interest

**3. Checking, savings, money market, or financial brokerage accounts (Identify all)**

Name of institution (bank or brokerage firm)

Type of account

Last 4 digits of account number

3.1. Capital One - Old Chelsea Station\$5,000.00**4. Other cash equivalents (Identify all)****5. Total of Part 1.**

Add lines 2 through 4 (including amounts on any additional sheets). Copy the total to line 80.

\$5,000.00**Part 2: Deposits and Prepayments****6. Does the debtor have any deposits or prepayments?**☒ No. Go to Part 3.☐ Yes Fill in the information below.**Part 3: Accounts receivable****10. Does the debtor have any accounts receivable?**☐ No. Go to Part 4.☒ Yes Fill in the information below.**11. Accounts receivable**

11b. Over 90 days old:

100,000.00

-

TBD3...TBD

face amount

doubtful or uncollectible accounts

Debtor 97 2ND LLC  
Name

Case number (if known) \_\_\_\_\_

12. **Total of Part 3.**

Current value on lines 11a + 11b = line 12. Copy the total to line 82.

\$0.00**Part 4: Investments**

## 13. Does the debtor own any investments?

- ☒ No. Go to Part 5.  
☐ Yes Fill in the information below.

**Part 5: Inventory, excluding agriculture assets**

## 18. Does the debtor own any inventory (excluding agriculture assets)?

- ☒ No. Go to Part 6.  
☐ Yes Fill in the information below.

**Part 6: Farming and fishing-related assets (other than titled motor vehicles and land)**

## 27. Does the debtor own or lease any farming and fishing-related assets (other than titled motor vehicles and land)?

- ☒ No. Go to Part 7.  
☐ Yes Fill in the information below.

**Part 7: Office furniture, fixtures, and equipment; and collectibles**

## 38. Does the debtor own or lease any office furniture, fixtures, equipment, or collectibles?

- ☒ No. Go to Part 8.  
☐ Yes Fill in the information below.

**Part 8: Machinery, equipment, and vehicles**

## 46. Does the debtor own or lease any machinery, equipment, or vehicles?

- ☒ No. Go to Part 9.  
☐ Yes Fill in the information below.

**Part 9: Real property**

## 54. Does the debtor own or lease any real property?

- ☐ No. Go to Part 10.  
☒ Yes Fill in the information below.

55. **Any building, other improved real estate, or land which the debtor owns or in which the debtor has an interest**

Description and location of property Include street address or other description such as Assessor Parcel Number (APN), and type of property (for example, acreage, factory, warehouse, apartment or office building, if available. 55.1.	Nature and extent of debtor's interest in property	Net book value of debtor's interest (Where available)	Valuation method used for current value	Current value of debtor's interest
97 2nd Ave, New York, NY 10003-8350	Equitable Interest as Owner	\$15,100,000.00		\$15,100,000.00

56. **Total of Part 9.**

Add the current value on lines 55.1 through 55.6 and entries from any additional sheets.

\$15,100,000.00

Debtor 97 2ND LLC  
Name

Case number (If known) \_\_\_\_\_

Copy the total to line 88.

57. Is a depreciation schedule available for any of the property listed in Part 9?

☒ No☐ Yes

58. Has any of the property listed in Part 9 been appraised by a professional within the last year?

☒ No☐ Yes**Part 10: Intangibles and intellectual property**

59. Does the debtor have any interests in intangibles or intellectual property?

☒ No. Go to Part 11.☐ Yes Fill in the information below.**Part 11: All other assets**

70. Does the debtor own any other assets that have not yet been reported on this form?

Include all interests in executory contracts and unexpired leases not previously reported on this form.

☐ No. Go to Part 12.☒ Yes Fill in the information below.Current value of  
debtor's interest71. **Notes receivable**

Description (include name of obligor)

72. **Tax refunds and unused net operating losses (NOLs)**

Description (for example, federal, state, local)

73. **Interests in insurance policies or annuities**74. **Causes of action against third parties (whether or not a lawsuit has been filed)**75. **Other contingent and unliquidated claims or causes of action of every nature, including counterclaims of the debtor and rights to set off claims****Litigation and avoidance claims - TBD**\$0.00

Nature of claim

Amount requested

\$0.0076. **Trusts, equitable or future interests in property**77. **Other property of any kind not already listed** Examples: Season tickets, country club membership78. **Total of Part 11.**

Add lines 71 through 77. Copy the total to line 90.

\$0.00

79. Has any of the property listed in Part 11 been appraised by a professional within the last year?

☒ No☐ Yes

Debtor 97 2ND LLC  
Name

Case number (if known) \_\_\_\_\_

**Part 12: Summary**

In Part 12 copy all of the totals from the earlier parts of the form

Type of property	Current value of personal property	Current value of real property
80. Cash, cash equivalents, and financial assets. <i>Copy line 5, Part 1</i>	<u>\$5,000.00</u>	
81. Deposits and prepayments. <i>Copy line 9, Part 2.</i>	<u>\$0.00</u>	
82. Accounts receivable. <i>Copy line 12, Part 3.</i>	<u>\$0.00</u>	
83. Investments. <i>Copy line 17, Part 4.</i>	<u>\$0.00</u>	
84. Inventory. <i>Copy line 23, Part 5.</i>	<u>\$0.00</u>	
85. Farming and fishing-related assets. <i>Copy line 33, Part 6.</i>	<u>\$0.00</u>	
86. Office furniture, fixtures, and equipment; and collectibles. <i>Copy line 43, Part 7.</i>	<u>\$0.00</u>	
87. Machinery, equipment, and vehicles. <i>Copy line 51, Part 8.</i>	<u>\$0.00</u>	
88. Real property. <i>Copy line 56, Part 9.....&gt;</i>		<u>\$15,100,000.00</u>
89. Intangibles and intellectual property. <i>Copy line 66, Part 10.</i>	<u>\$0.00</u>	
90. All other assets. <i>Copy line 78, Part 11.</i>	+ <u>\$0.00</u>	
91. Total. Add lines 80 through 90 for each column	<u>\$5,000.00</u>	+ 91b. <u>\$15,100,000.00</u>
92. Total of all property on Schedule A/B. Add lines 91a+91b=92		<u>\$15,105,000.00</u>

**Fill in this information to identify the case:**Debtor name 97 2ND LLCUnited States Bankruptcy Court for the: EASTERN DISTRICT OF NEW YORK, CENTRAL ISLIP DIVISION

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing

## Official Form 206D

**Schedule D: Creditors Who Have Claims Secured by Property**

12/15

Be as complete and accurate as possible.

**1. Do any creditors have claims secured by debtor's property?**☐ No. Check this box and submit page 1 of this form to the court with debtor's other schedules. Debtor has nothing else to report on this form.☒ Yes. Fill in all of the information below.**Part 1: List Creditors Who Have Secured Claims****2. List in alphabetical order all creditors who have secured claims.** If a creditor has more than one secured claim, list the creditor separately for each claim.

Column A	Column B
Amount of claim	Value of collateral that supports this claim
Do not deduct the value of collateral.	
<b>\$9,164,699.00</b>	<b>\$15,100,000.00</b>

**2.1 DS 97 2nd Ave Note Purchaser**

Creditor's Name

Describe debtor's property that is subject to a lien  
**97 2nd Ave, New York, NY 10003-8350****97 2nd Ave  
New York, NY 10003-8350**

Creditor's mailing address

Describe the lien

Is the creditor an insider or related party?

☒ No☐ Yes

Is anyone else liable on this claim?

☒ No☐ Yes. Fill out *Schedule H: Codebtors* (Official Form 206H)

Creditor's email address, if known

Date debt was incurred

Last 4 digits of account number

Do multiple creditors have an interest in the same property?

☒ No☐ Yes. Specify each creditor, including this creditor and its relative priority.

As of the petition filing date, the claim is:

Check all that apply

☐ Contingent☐ Unliquidated☒ Disputed**3. Total of the dollar amounts from Part 1, Column A, including the amounts from the Additional Page, if any.****\$9,164,699.00**  
**0****Part 2: List Others to Be Notified for a Debt Already Listed in Part 1**

List in alphabetical order any others who must be notified for a debt already listed in Part 1. Examples of entities that may be listed are collection agencies, assignees of claims listed above, and attorneys for secured creditors.

If no others need to be notified for the debts listed in Part 1, do not fill out or submit this page. If additional pages are needed, copy this page.

Name and address

On which line in Part 1 did you enter the related creditor?

Last 4 digits of account number for this entity

**Fill in this information to identify the case:**Debtor name **97 2ND LLC**United States Bankruptcy Court for the: **EASTERN DISTRICT OF NEW YORK, CENTRAL ISLIP DIVISION**

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing**Official Form 206E/F****Schedule E/F: Creditors Who Have Unsecured Claims**

12/15

Be as complete and accurate as possible. Use Part 1 for creditors with PRIORITY unsecured claims and Part 2 for creditors with NONPRIORITY unsecured claims. List the other party to any executory contracts or unexpired leases that could result in a claim. Also list executory contracts on *Schedule A/B: Assets - Real and Personal Property* (Official Form 206A/B) and on *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G). Number the entries in Parts 1 and 2 in the boxes on the left. If more space is needed for Part 1 or Part 2, fill out and attach the Additional Page of that Part included in this form.

**Part 1: List All Creditors with PRIORITY Unsecured Claims**

1. Do any creditors have priority unsecured claims? (See 11 U.S.C. § 507).

☐ No. Go to Part 2.☒ Yes. Go to line 2.

2. List in alphabetical order all creditors who have unsecured claims that are entitled to priority in whole or in part. If the debtor has more than 3 creditors with priority unsecured claims, fill out and attach the Additional Page of Part 1.

		Total claim	Priority amount
2.1	Priority creditor's name and mailing address <b>Internal Revenue Service Centralized Insolvency Operations PO Box 7346 Philadelphia, PA 19101-7346</b>  Date or dates debt was incurred _____  Last 4 digits of account number _____ Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (8)	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  Basis for the claim: _____  Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	<b>\$0.00</b> <b>\$0.00</b>
2.2	Priority creditor's name and mailing address <b>NYC Dep't of Finance Legal Affairs 345 Adams St Fl 3 Brooklyn, NY 11201-3719</b>  Date or dates debt was incurred _____  Last 4 digits of account number _____ Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (8)	As of the petition filing date, the claim is: <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  Basis for the claim: _____  Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	<b>\$0.00</b> <b>\$0.00</b>

Debtor **97 2ND LLC**

Case number (if known)

Name

2.3 Priority creditor's name and mailing address

**NYS Dep't of Taxation  
Bankruptcy/Special Procedure  
PO Box 5300  
Albany, NY 12205-0300**

As of the petition filing date, the claim is:

*Check all that apply.*

- ☐ Contingent  
☐ Unliquidated  
☐ Disputed

**\$0.00 \$0.00**

Date or dates debt was incurred

Basis for the claim:

Last 4 digits of account number

Is the claim subject to offset?

Specify Code subsection of PRIORITY  
unsecured claim: 11 U.S.C. § 507(a) (8)

- ☒ No  
☐ Yes

2.4 Priority creditor's name and mailing address

**NYS Department of Labor  
New York State Department of  
Labor,  
PO Box 15130  
Albany, NY 12212-5130**

As of the petition filing date, the claim is:

*Check all that apply.*

- ☐ Contingent  
☐ Unliquidated  
☐ Disputed

**unknown \$0.00**

Date or dates debt was incurred

Basis for the claim:

Last 4 digits of account number

Is the claim subject to offset?

Specify Code subsection of PRIORITY  
unsecured claim: 11 U.S.C. § 507(a) (8)

- ☒ No  
☐ Yes

**Part 2: List All Creditors with NONPRIORITY Unsecured Claims**

3. List in alphabetical order all of the creditors with nonpriority unsecured claims. If the debtor has more than 6 creditors with nonpriority unsecured claims, fill out and attach the Additional Page of Part 2.

Amount of claim

3.1 Nonpriority creditor's name and mailing address

**Alex Nugent**

**97 2nd Ave # 2  
New York, NY 10003-8350**

Date(s) debt was incurred \_\_

Last 4 digits of account number \_\_

As of the petition filing date, the claim is: *Check all that apply.*

- ☐ Contingent  
☐ Unliquidated  
☐ Disputed

Basis for the claim: \_\_

Is the claim subject to offset? ☒ No ☐ Yes**\$6,000.00**

3.2 Nonpriority creditor's name and mailing address

**Alison Tobias**

**97 2nd Ave # 9  
New York, NY 10003-8350**

Date(s) debt was incurred \_\_

Last 4 digits of account number \_\_

As of the petition filing date, the claim is: *Check all that apply.*

- ☐ Contingent  
☐ Unliquidated  
☐ Disputed

Basis for the claim: \_\_

Is the claim subject to offset? ☒ No ☐ Yes**\$5,000.00**

3.3 Nonpriority creditor's name and mailing address

**Belkin Burden Wenig & Goldman, LLP**

**270 Madison Ave  
New York, NY 10016-0601**

Date(s) debt was incurred \_\_

Last 4 digits of account number \_\_

As of the petition filing date, the claim is: *Check all that apply.*

- ☐ Contingent  
☐ Unliquidated  
☐ Disputed

Basis for the claim: \_\_

Is the claim subject to offset? ☒ No ☐ Yes**\$11,157.46**



Debtor <b>97 2ND LLC</b> Name _____	Case number (if known) _____
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<b>3.4</b> Nonpriority creditor's name and mailing address <b>Ben Lebovits</b>  <b>97 2nd Ave # 8</b> <b>New York, NY 10003-8350</b>  Date(s) debt was incurred ____ Last 4 digits of account number ____	As of the petition filing date, the claim is: <i>Check all that apply.</i> <span style="float: right;"><b>\$1,593.75</b></span> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  Basis for the claim: ____ Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
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<b>3.5</b> Nonpriority creditor's name and mailing address <b>David Reich</b> <b>c/o Brookhill Properties</b> <b>57 W 57th St</b> <b>New York, NY 10019-2802</b>  Date(s) debt was incurred ____ Last 4 digits of account number ____	As of the petition filing date, the claim is: <i>Check all that apply.</i> <span style="float: right;"><b>\$20,000.00</b></span> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  Basis for the claim: ____ Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
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<b>3.6</b> Nonpriority creditor's name and mailing address <b>Gabrielle Tazza</b>  <b>97 2nd Ave # 7</b> <b>New York, NY 10003-8350</b>  Date(s) debt was incurred ____ Last 4 digits of account number ____	As of the petition filing date, the claim is: <i>Check all that apply.</i> <span style="float: right;"><b>\$5,000.00</b></span> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  Basis for the claim: ____ Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
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<b>3.7</b> Nonpriority creditor's name and mailing address <b>Global Pest Control</b>  <b>382A Route 59</b> <b>Airmont, NY 10952-3439</b>  Date(s) debt was incurred ____ Last 4 digits of account number ____	As of the petition filing date, the claim is: <i>Check all that apply.</i> <span style="float: right;"><b>\$9,747.00</b></span> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  Basis for the claim: ____ Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
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<b>3.8</b> Nonpriority creditor's name and mailing address <b>Hou Spicy, Inc.</b>  <b>97 2nd Ave</b> <b>New York, NY 10003-8350</b>  Date(s) debt was incurred ____ Last 4 digits of account number ____	As of the petition filing date, the claim is: <i>Check all that apply.</i> <span style="float: right;"><b>\$20,157.10</b></span> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  Basis for the claim: ____ Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
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<b>3.9</b> Nonpriority creditor's name and mailing address <b>Kim Borin</b>  <b>97 2nd Ave # 10</b> <b>New York, NY 10003-8350</b>  Date(s) debt was incurred ____ Last 4 digits of account number ____	As of the petition filing date, the claim is: <i>Check all that apply.</i> <span style="float: right;"><b>\$2,182.33</b></span> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  Basis for the claim: ____ Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
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<b>3.10</b> Nonpriority creditor's name and mailing address <b>Madeleine Gaiman</b>  <b>97 2nd Ave # 5</b> <b>New York, NY 10003-8350</b>  Date(s) debt was incurred ____ Last 4 digits of account number ____	As of the petition filing date, the claim is: <i>Check all that apply.</i> <span style="float: right;"><b>\$6,500.00</b></span> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  Basis for the claim: ____ Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
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Debtor <b>97 2ND LLC</b> Name _____	Case number (if known) _____
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<b>3.11</b>	Nonpriority creditor's name and mailing address <b>Manasi Rajagopal</b>  <b>97 2nd Ave # 3</b> <b>New York, NY 10003-8350</b>  Date(s) debt was incurred ____ Last 4 digits of account number ____	As of the petition filing date, the claim is: <i>Check all that apply.</i> <span style="float: right;"><b>\$6,000.00</b></span> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  Basis for the claim: ____ Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
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<b>3.12</b>	Nonpriority creditor's name and mailing address <b>Natalie Alford</b>  <b>97 2nd Ave # 6</b> <b>New York, NY 10003-8350</b>  Date(s) debt was incurred ____ Last 4 digits of account number ____	As of the petition filing date, the claim is: <i>Check all that apply.</i> <span style="float: right;"><b>\$7,200.00</b></span> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  Basis for the claim: ____ Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
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<b>3.13</b>	Nonpriority creditor's name and mailing address <b>Phillip Anderson and Cameron Debit</b>  <b>97 2nd Ave # 4</b> <b>New York, NY 10003-8350</b>  Date(s) debt was incurred ____ Last 4 digits of account number ____	As of the petition filing date, the claim is: <i>Check all that apply.</i> <span style="float: right;"><b>\$7,500.00</b></span> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  Basis for the claim: ____ Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
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<b>3.14</b>	Nonpriority creditor's name and mailing address <b>Raphael Agrzz</b>  <b>5404 New Utrecht Ave</b> <b>Brooklyn, NY 11219-4187</b>  Date(s) debt was incurred ____ Last 4 digits of account number ____	As of the petition filing date, the claim is: <i>Check all that apply.</i> <span style="float: right;"><b>\$500,000.00</b></span> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  Basis for the claim: <u>commission</u> Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
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<b>3.15</b>	Nonpriority creditor's name and mailing address <b>Rivkin Radler</b>  <b>926 RXR Plz</b> <b>Uniondale, NY 11556-0926</b>  Date(s) debt was incurred ____ Last 4 digits of account number ____	As of the petition filing date, the claim is: <i>Check all that apply.</i> <span style="float: right;"><b>\$60,000.00</b></span> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  Basis for the claim: ____ Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
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<b>3.16</b>	Nonpriority creditor's name and mailing address <b>Robinson Brog Leinwand Greene Genovese &amp;</b>  <b>875 3rd Ave</b> <b>New York, NY 10022-6225</b>  Date(s) debt was incurred ____ Last 4 digits of account number ____	As of the petition filing date, the claim is: <i>Check all that apply.</i> <span style="float: right;"><b>\$50,000.00</b></span> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  Basis for the claim: ____ Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
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**Part 3: List Others to Be Notified About Unsecured Claims**

4. List in alphabetical order any others who must be notified for claims listed in Parts 1 and 2. Examples of entities that may be listed are collection agencies, assignees of claims listed above, and attorneys for unsecured creditors.

If no others need to be notified for the debts listed in Parts 1 and 2, do not fill out or submit this page. If additional pages are needed, copy the next page.

Name and mailing address

On which line in Part 1 or Part 2 is the related creditor (if any) listed?

Last 4 digits of account number, if any

**Part 4: Total Amounts of the Priority and Nonpriority Unsecured Claims**

Debtor **97 2ND LLC**  
Name

Case number (if known) \_\_\_\_\_

**5. Add the amounts of priority and nonpriority unsecured claims.**

**5a. Total claims from Part 1**

**5b. Total claims from Part 2**

**5c. Total of Parts 1 and 2**

Lines 5a + 5b = 5c.

Total of claim amounts	
5a.	\$ 0.00
5b. +	\$ 718,037.64
5c.	\$ 718,037.64

**Fill in this information to identify the case:**Debtor name 97 2ND LLCUnited States Bankruptcy Court for the: EASTERN DISTRICT OF NEW YORK, CENTRAL ISLIP DIVISION

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing**Official Form 206G****Schedule G: Executory Contracts and Unexpired Leases**

12/15

Be as complete and accurate as possible. If more space is needed, copy and attach the additional page, number the entries consecutively.

**1. Does the debtor have any executory contracts or unexpired leases?**☐ No. Check this box and file this form with the debtor's other schedules. There is nothing else to report on this form.☒ Yes. Fill in all of the information below even if the contacts of leases are listed on *Schedule A/B: Assets - Real and Personal Property* (Official Form 206A/B).**2. List all contracts and unexpired leases**

State the name and mailing address for all other parties with whom the debtor has an executory contract or unexpired lease

2.1. State what the contract or lease is for and the nature of the debtor's interest **Unit No. 2  
Rent: \$6,000**

State the term remaining

List the contract number of any government contract \_\_\_\_\_

**Alex Nugent  
97 2nd Ave #2  
New York, NY 10003-8350**2.2. State what the contract or lease is for and the nature of the debtor's interest **Unit No. 9  
Rent: \$5,000**

State the term remaining

List the contract number of any government contract \_\_\_\_\_

**Alison Tobias  
97 2nd Ave # 9  
New York, NY 10003-8350**2.3. State what the contract or lease is for and the nature of the debtor's interest **Unit No. 8  
Rent: \$1,593.75  
Rent Stabilized**

State the term remaining

List the contract number of any government contract \_\_\_\_\_

**Ben Lebovitz  
97 2nd Ave # 8  
New York, NY 10003-8350**2.4. State what the contract or lease is for and the nature of the debtor's interest **Unit No. 7  
Rent: \$5,000  
Rent Stabilized**

State the term remaining

List the contract number of any government contract \_\_\_\_\_

**Gabrielle Tazza  
97 2nd Ave # 7  
New York, NY 10003-8350**

Debtor 1 **97 2ND LLC**

First Name Middle Name Last Name

Case number (if known)

**Additional Page if You Have More Contracts or Leases****2. List all contracts and unexpired leases**

State the name and mailing address for all other parties with whom the debtor has an executory contract or unexpired lease

2.5. State what the contract or lease is for and the nature of the debtor's interest **Unit No. 10**  
**Rent: \$2,182.33**  
**Rent Stabilized**

State the term remaining

List the contract number of any government contract

**Kim Borin**  
**97 2nd Ave # 10**  
**New York, NY 10003-8350**

2.6. State what the contract or lease is for and the nature of the debtor's interest **Unit No. 5**  
**Rent: \$6,500**

State the term remaining

List the contract number of any government contract

**Madeleine Gaiman**  
**97 2nd Ave #5**  
**New York, NY 10003-8350**

2.7. State what the contract or lease is for and the nature of the debtor's interest **Unit No. 3**  
**Rent: \$6,000**

State the term remaining

List the contract number of any government contract

**Manasi Rajagopal**  
**97 2nd Ave # 3**  
**New York, NY 10003-8350**

2.8. State what the contract or lease is for and the nature of the debtor's interest **Unit No. 6**  
**Rent \$7,200**

State the term remaining

List the contract number of any government contract

**Natalie Alford**  
**97 2nd Ave # 6**  
**New York, NY 10003-8350**

2.9. State what the contract or lease is for and the nature of the debtor's interest **Unit No. 4**  
**Rent: \$7,500**

State the term remaining

List the contract number of any government contract

**Phillip Anderson and Cameron Dabir**  
**97 2nd Ave # 4**  
**New York, NY 10003-8350**

2.10. State what the contract or lease is for and the nature of the debtor's interest **Retail Unit**  
**Rent: \$20,157.10**

State the term remaining

**Retail - Hou Spicy, Inc.**  
**97 2nd Ave**  
**New York, NY 10003-8350**

Debtor 1 **97 2ND LLC**  
First Name Middle Name Last Name

Case number (if known) \_\_\_\_\_



**Additional Page if You Have More Contracts or Leases**

**2. List all contracts and unexpired leases**

**State the name and mailing address for all other parties with whom the debtor has an executory contract or unexpired lease**

List the contract number of  
any government contract \_\_\_\_\_

**Fill in this information to identify the case:**Debtor name 97 2ND LLCUnited States Bankruptcy Court for the: EASTERN DISTRICT OF NEW YORK, CENTRAL ISLIP DIVISION

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing**Official Form 206H  
Schedule H: Your Codebtors**

12/15

Be as complete and accurate as possible. If more space is needed, copy the Additional Page, numbering the entries consecutively. Attach the Additional Page to this page.

**1. Do you have any codebtors?**

- ☒ No. Check this box and submit this form to the court with the debtor's other schedules. Nothing else needs to be reported on this form.  
☐ Yes

**2. In Column 1, list as codebtors all of the people or entities who are also liable for any debts listed by the debtor in the schedules of creditors, Schedules D-G. Include all guarantors and co-obligors. In Column 2, identify the creditor to whom the debt is owed and each schedule on which the creditor is listed. If the codebtor is liable on a debt to more than one creditor, list each creditor separately in Column 2.**

*Column 1: Codebtor**Column 2: Creditor*

Name	Mailing Address	Name	Check all schedules that apply:
2.1	_____ Street _____ City State Zip Code	_____	<input type="checkbox"/> D <input type="checkbox"/> E/F <input type="checkbox"/> G
2.2	_____ Street _____ City State Zip Code	_____	<input type="checkbox"/> D <input type="checkbox"/> E/F <input type="checkbox"/> G
2.3	_____ Street _____ City State Zip Code	_____	<input type="checkbox"/> D <input type="checkbox"/> E/F <input type="checkbox"/> G
2.4	_____ Street _____ City State Zip Code	_____	<input type="checkbox"/> D <input type="checkbox"/> E/F <input type="checkbox"/> G

**Fill in this information to identify the case:**Debtor name 97 2ND LLCUnited States Bankruptcy Court for the: EASTERN DISTRICT OF NEW YORK, CENTRAL ISLIP DIVISION

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing**Official Form 206Sum  
Summary of Assets and Liabilities for Non-Individuals**

12/15

**Part 1: Summary of Assets****1. Schedule A/B: Assets-Real and Personal Property** (Official Form 206A/B)**1a. Real property:**Copy line 88 from Schedule A/B..... \$ 15,100,000.00**1b. Total personal property:**Copy line 91A from Schedule A/B..... \$ 5,000.00**1c. Total of all property:**Copy line 92 from Schedule A/B..... \$ 15,105,000.00**Part 2: Summary of Liabilities****2. Schedule D: Creditors Who Have Claims Secured by Property** (Official Form 206D)Copy the total dollar amount listed in Column A Amount of claim, from line 3 of Schedule D..... \$ 9,164,699.00**3. Schedule E/F: Creditors Who Have Unsecured Claims** (Official Form 206E/F)**3a. Total claim amounts of priority unsecured claims:**Copy the total claims from Part 1 from line 5a of Schedule E/F..... \$ 0.00**3b. Total amount of claims of nonpriority amount of unsecured claims:**Copy the total of the amount of claims from Part 2 from line 5b of Schedule E/F..... +\$ 718,037.64**4. Total liabilities** .....

Lines 2 + 3a + 3b

\$ 9,882,736.64



United States Bankruptcy Court  
Eastern District of New York, Central Islip Division

IN RE:

Case No. \_\_\_\_\_

97 2ND LLC

Chapter 11

Debtor(s)

**VERIFICATION OF CREDITOR MATRIX**

The above named debtor(s) or attorney for the debtor(s) hereby verify that the attached matrix (list of creditors) is true and correct to the best of their knowledge.

Date: August 1, 2017

  
Debtor

\_\_\_\_\_  
Joint Debtor

\_\_\_\_\_  
Attorney for Debtor

Alex Nugent  
97 2nd Ave # 2  
New York, NY 10003-8350

Alison Tobias  
97 2nd Ave # 9  
New York, NY 10003-8350

Belkin Burden Wenig & Goldman, LLP  
270 Madison Ave  
New York, NY 10016-0601

Ben Lebovits  
97 2nd Ave # 8  
New York, NY 10003-8350

Ben Lebovitz  
97 2nd Ave # 8  
New York, NY 10003-8350

David Reich  
c/o Brookhill Properties  
57 W 57th St  
New York, NY 10019-2802

DS 97 2nd Ave Note Purchaser  
97 2nd Ave  
New York, NY 10003-8350

Gabrielle Tazza  
97 2nd Ave # 7  
New York, NY 10003-8350

Global Pest Control  
382A Route 59  
Airmont, NY 10952-3439

Hou Spicy, Inc.  
97 2nd Ave  
New York, NY 10003-8350

Internal Revenue Service  
Centralized Insolvency Operations  
PO Box 7346  
Philadelphia, PA 19101-7346

Kim Borin  
97 2nd Ave # 10  
New York, NY 10003-8350

Madeleine Gaiman  
97 2nd Ave # 5  
New York, NY 10003-8350

Manasi Rajagopal  
97 2nd Ave # 3  
New York, NY 10003-8350

Natalie Alford  
97 2nd Ave # 6  
New York, NY 10003-8350

NYC Dep't of Finance  
Legal Affairs  
345 Adams St Fl 3  
Brooklyn, NY 11201-3719

NYS Dep't of Taxation  
Bankruptcy/Special Procedure  
PO Box 5300  
Albany, NY 12205-0300

NYS Department of Labor  
New York State Department of Labor,  
PO Box 15130  
Albany, NY 12212-5130

Phillip Anderson and Cameron Dabir  
97 2nd Ave # 4  
New York, NY 10003-8350

Phillip Anderson and Cameron Debit  
97 2nd Ave # 4  
New York, NY 10003-8350

Raphael Agrzz  
5404 New Utrecht Ave  
Brooklyn, NY 11219-4187

Retail - Hou Spicy, Inc.  
97 2nd Ave  
New York, NY 10003-8350

Rivkin Radler  
926 RXR Plz  
Uniondale, NY 11556-0926

Robinson Brog Leinwand Greene Genovese &  
875 3rd Ave  
New York, NY 10022-6225